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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,451	03/22/2001	Dekel Shiloh	3323/1H366US1	4579

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EITAN, PEARL, LATZER , & COHEN ZEDEK, LLP.
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NEW YORK, NY 10020

EXAMINER

ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,451

Applicant(s)

SHILOH, DEKEL

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-20 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's amendment, filed on 07/06/2005.
2. Claims 1-20 are pending.

Allowable Subject Matter

3. Claims 6-20 are allowed over the prior art of record.
4. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Fortenberry (U.S. Pat. No. 6,005,939) in view of Dowling et al (U.S. Pat. No. 6,574,239).

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As per claims 1-3, Fortenberry substantially discloses a password containing user defined information at various security levels is stored in a secure server on the internet (which is readable as Applicant's claimed invention wherein it is stated that a real entity to access a service on a communication network), comprising:

establishing a user account including at least:

defining said virtual entity using virtual identification data that does not identify said real entity (see., abstract, col 1, lines 51-67, specifically password); and

assigning to said virtual entity a virtual transaction account having transaction-authorization data that is not linked to said billing data (see., abstract, col 6, lines 63-67, specifically wherein it is stated that virtual information includes items such as virtual identification that can be used when visiting web sites);

providing at least part of said virtual identification data to enable said service to identify said virtual entity, and providing said transaction-authorization data to enable said service to authorize a transaction of said virtual entity without revealing said billing data (see., col 2, lines 1-13, col 5, lines 62-67, col 6, lines 1-7, col 6, lines 31-67).

Fortenberry further discloses in response to a user requests, a vendor may request user information such as user name, address, and credit card number (or billing).

Fortenberry also discloses a credit card account or information see., col 1, lines 13-22, col 6, lines 52-62. It is to be noted that Fortenberry fails to explicitly disclose that virtual transaction not linked to said billing data. However, Dowling discloses a remote entity such as a virtual session server that has a second database (see., col 6, lines 26-53, col 14, lines 63-67, col 15, lines 1-30. Accordingly, it would have been obvious to a person

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of ordinary skill in the art at the time the invention was made to modify the teaching of Fortenberry by including a second database as taught by Dowling because this would allow the system databases not to be interconnected.

RESPONSE TO ARGUMENTS

7. Applicant's arguments filed on 07/06/2005 been fully considered but they are not persuasive.

REMARKS

8. In response to claims 1-3, Applicant argues that Fortenberry and/or Dowling, alone or in combination, do not disclose, teach or suggest the recited feature:

a. "establishing for the real entity a user account including billing data". As noted above, Fortenberry discloses this limitation in the abstract, col 6, lines 63-67). Fortenberry further discloses in response to a user requests, a vendor may request user information such as user name, address, and credit card number (or billing).

b. "defining said virtual entity using virtual identification data that does not identify said real entity, and assigning to said virtual entity a virtual transaction-authorization data". As indicated above, it is believed that Fortenberry discloses this limitation col 6, lines 63-67, col 7, lines 1-14.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Pierre Eddy Elisca

Primary Patent Examiner

September 12, 2005